

**State of California, Court of Appeal
Fourth Appellate District, Division 3
September 19, 2005**

Court convened at 9:30 a.m. in the courtroom located at 925 N. Spurgeon Street, Santa Ana, California 92701. Panel members are Rylaarsdam, Acting Presiding Justice, O'Leary, J. and Ikola J. A. Cajigal, Deputy Clerk attending.

G034653 FAR EAST NATIONAL BANK ET AL.
 v.
 NOLAN FINANCIAL CORPORATION

Merits. Cause called. Arthur J. Cohen argued for appellants. Byron B. Mauss argued for respondent. Cause submitted.

G033929 JOY I. SIPPRELLE
 v.
 JAMES H. SIPPRELLE

Merits. Cause called. John L. Fort argued for appellant. Biran G. Saylin argued for respondent. Cause submitted.

G034558 TRACY ANN ROUGVIE
 v.
 VITO JAMES CARUSO

Merits. Cause called. Diane J. Marlowe argued for appellant. John D. Barnett argued for respondent. Cause submitted.

G034588 TERRY MCELROY
 v.
 CHASE MANHATTAN MORTGAGE CORPORATION ET AL.

Merits. Cause called. David Burkenroad argued for appellant. S. Christopher Yoo argued for respondent Chase Manhattan Mortgage Corporation and George L. Hampton IV argued for respondent Charlene Finicle. Cause submitted.

Court declared a recess.

**State of California, Court of Appeal
Fourth Appellate District, Division 3
September 19, 2005**

Court reconvened at 1:30 p.m. in the courtroom located at 925 N. Spurgeon Street, Santa Ana, California 92701. Panel members are Rylaarsdam, Acting Presiding Justice, O'Leary, J. and Moore, J. A. Cajigal, Deputy Clerk attending.

G034532 AMWEST SURETY INSURANCE COMPANY
 v.
 CARMINE ESPOSITO ET AL.

Merits. Cause called. Michael J. Migan argued for appellant. Kenneth S. Humphrey argued for respondent. Cause submitted.

G033168 PAULA PFISTER
 v.
 INFINITY INSURANCE GROUP

Merits. Cause called. No appearance by appellant Paula Pfister in propria persona. Barbara J. Mandell for respondent. Cause submitted.

G034319 MARY PORTER
 v.
 BOARD OF RETIREMENT OF THE O.C. EMPLOYEES
 RETIREMENT SYSTEM

Merits. Cause called. Edward L. Faunce argued for appellant. Elaine W. Reagan argued for respondent. Cause submitted.

G033543 TUTTON INSURANCE SERVICES, INC.
& G033807 v.
 ELIZABETH BRAUN

Merits. Cause called. Thomas F. Newmeyer argued for appellant and cross respondent. Mark W. Huston argued for respondent and cross appellant. Cause submitted.

**State of California, Court of Appeal
Fourth Appellate District, Division 3
September 19, 2005 (cont'd)**

G034643 KENNETH ECKMAN
 v.
 ERGUN ERIC BAKALL

Merits. Cause called. Mark J. Austin argued for appellant. Bruce E. Peotter argued for respondent. Cause submitted.

Court declared a recess.

**State of California, Court of Appeal
Fourth Appellate District, Division 3
September 19, 2005 (cont'd)**

G035857 CREDITORS TRADE
ASSOCIATION INC.
v.
JAMES W. HARRIS

Order filed. Appellant's motion to vacate the dismissal, reinstate the appeal, and be relieved from default is granted. The order of dismissal is vacated and the appeal is reinstated.

Sills, P.J.

G034536 THE PEOPLE
v.
RUBEN R.

Order filed. Pursuant to California Rules of Court, rule 23(e)(1), submission of the above matter is hereby vacated. Appellant is invited to file a short supplemental letter brief by October 11, 2005, on the issue of whether Penal Code section 186.22, subdivision (b)(1)(A), applies to Penal Code section 12101, subdivision (a)(1), charged as a misdemeanor. Respondent may file a response no later than October 25, 2005. Appellant may file a reply no later than November 1, 2005. Thereafter, the cause will be resubmitted for the term permitted by law.

O'Leary, J.

We concur: Rylaarsdam, Acting P.J.
 Ikola, J.

G035324 ORANGE COUNTY SOCIAL
SERVICES AGENCY
v.
CLAUDIO P.

Not for publication

Order filed. Judgment affirmed.

Bedsworth, J.

We concur: Sills, P.J.
 Fybel, J.

**State of California, Court of Appeal
Fourth Appellate District, Division 3
September 20, 2005**

Court reconvened at 9:30 a.m. in the courtroom located at 925 N. Spurgeon Street, Santa Ana, California 92701. Panel members are Sills, Presiding Justice, Bedsworth, J. and Fybel, J. O. Duarte, Deputy Clerk attending.

G034485 TRANS UNION
 v.
 ONE2ONE, INC.

Merits. Cause called. Daniel H. McLinden argued for appellant. Donald E. Bradley appeared for respondent. Cause submitted.

G035080 WILLIAM S. HUME
 v.
 JOHN S. WILLIAMS

Merits. Cause called. Patricia Mireles, counsel for appellant did not appeared. James C. Harvey argued for respondent. Cause submitted.

G033993 ACTION ENVIRONMENTAL
 ENTERPRISES INC.
 v.
 ALASKA PETROLEUM
 ENVIRONMENTAL ENGINEERING INC.

Merits. Cause called. James Toledano argued for appellant. Gregory M. Burke appeared for respondent. Cause submitted.

Court declared a recess.

**State of California, Court of Appeal
Fourth Appellate District, Division 3
September 20, 2005 (Cont'd)**

Court reconvened at 1:30 p.m. in the courtroom located at 925 N. Spurgeon Street, Santa Ana, California 92701. Panel members are Rylaarsdam, Acting Presiding Justice, Moore, J. and Ikola, J. O. Duarte, Deputy Clerk attending.

G034685 ROBERT S. BUTLER
 v.
 CITY OF NEWPORT BEACH et al.

Merits. Cause called. Appellant Robert S. Butler did not appear. Andrew E. Ainsworth argued for respondent. Cause submitted.

G034104 DOUGLAS EXIM, INC. ET AL.
 v.
 WEST LAKE FOOD
 CORPORATION ET AL.

Merits. Cause called. Garrett Skelly argued for appellants. John L. Dodd argued for respondents. Cause submitted.

G034740 ATTORNEY COLLECTION
 SERVICES INC.
 v.
 RUDY GUTIERREZ

Merits. Cause called. Donald P. Wagner present for appellant. Robin W. Enos present for respondent. The court advised the parties to file a stipulation for dismissal.

G034295 RICHARD BATES ET AL.
 v.
 PAUL A. MARTIN

Merits. Cause called. Kenneth A. Bryant argued for appellants. Robert A. Walker argued for respondent. Cause submitted.

**State of California, Court of Appeal
Fourth Appellate District, Division 3
September 20, 2005 (Cont'd)**

G034850 ROXANNE DEPALMA
 v.
 ELIZABETH NAYLON ET AL.

Merits. Cause called. Leslie Barry argued for appellants. David F. Brown argued for respondent. Cause submitted.

G035065 BIG FAT FISH INC.
 v.
 CARL AGREN

Merits. Cause called. Robert Keaster argued for appellant. Paul T. Locke argued for respondent. Cause submitted.

G034484 JOANN S.
G034494 v.
 RICHARD V.

Merits. Cause called. Sharon L. Grier argued for appellants. Cystal Sims argued for respondent Dallas S. H. Leslie Barry argued for respondent Joann S. Janette F. Cochran argued for respondents Christopher H. et al. Cause submitted.

Court declared a recess.

**State of California, Court of Appeal
Fourth Appellate District, Division 3
September 20, 2005 (Cont'd)**

G035297 ORANGE COUNTY SOCIAL
 SERVICES AGENCY
 v.
 HEATH M.

Not for publication

Opinion filed. Judgment reversed and remanded with directions.

Fybel, J.

We concur: Sills, P.J.
 Bedsworth, J.

**State of California, Court of Appeal
Fourth Appellate District, Division 3
September 21, 2005**

Court reconvened at 9:30 a.m. in the courtroom located at 925 N. Spurgeon Street, Santa Ana, California 92701. Panel members are Sills, Presiding Justice, Bedsworth, J. and Aronson, J. O. Duarte, Deputy Clerk attending.

G033261 THE PEOPLE
 v.
 MARK G. MORALES

Merits. Cause called. Carmela Simoncini argued for appellant. Marilyn George argued for respondent. Cause submitted.

G034147 THE PEOPLE
 v.
 CLIFFORD LOYER

Merits. Cause called. Jean F. Matulis argued for appellant. Kristen Chenelia argued for respondent. Cause submitted.

Court declared a recess.

**State of California, Court of Appeal
Fourth Appellate District, Division 3
September 21, 2005 (Cont'd)**

Court reconvened at 1:30 p.m. in the courtroom located at 925 N. Spurgeon Street,
Santa Ana, California 92701. Panel members are Rylaarsdam, Acting Presiding Justice,
Moore, J. and Ikola, J. O. Duarte, Deputy Clerk attending.

G035672 BEST BUY STORES, L.P.
 v.
 SUPERIOR COURT;
 MARK BOLING

Merits. Cause called. Gregory Karasik argued for petitioner. Mark A. Boling argued in pro per as real party in interest. Cause submitted.

G032835 THE PEOPLE
 v.
 ALEX ZAPIEN

Merits. Cause called. Jeffrey Stuetz argued for appellant. Elizabeth Hartwig argued for respondent. Cause submitted.

G034301 THE PEOPLE
 v.
 MARK A. THOMAS

Merits. Cause Called. Letitia E. Pepper argued for appellant. Arlene Sevidal argued for respondent. Cause submitted.

G034443 THE PEOPLE
 v.
 JEFFREY A. SMITH et al.

Merits. Cause called. Mark A. Hart argued for appellant Jeffrey A. Smith. Richard A. Levy argued for appellant Mark P. Taffolla. Arlene Sevidal argued for respondent. Cause submitted.

Court declared a recess.

**State of California, Court of Appeal
Fourth Appellate District, Division 3
September 21, 2005 (Cont'd)**

G035609 CYNTHIA A . PURCELL
 v.
 SHAHRAM MANIGHALAM

Merits. Cause called. Shahram Manighalam argued in pro per as an appellant. Michael R. O'Neil argued for respondent. Cause submitted.

G035456 MARK MOON
 v.
 SUPERIOR COURT;
 THE PEOPLE

Merits. Cause called. Jamalyn A. Ollinger argued for petitioner. Craig McKinnon argued for real party in interest. Cause submitted.

G034752 THE PEOPLE
 v.
 ALFONSO GOMEZ

Merits. Cause called. Michael Bacall argued for appellant. Gary Schons argued for respondent. Cause submitted.

Court declared a recess.

**State of California, Court of Appeal
Fourth Appellate District, Division 3
September 21, 2005 (Cont'd)**

No minutes for this date.

**State of California, Court of Appeal
Fourth Appellate District, Division 3
September 22, 2005**

Court reconvened at 9:30 a.m. in the courtroom located at 925 N. Spurgeon Street, Santa Ana, California 92701. Panel members are Sills, Presiding Justice, O’Leary, J., Moore, J., Aronson, J., Fybel, J., Ikola, J. A. Cajigal, Deputy Clerk attending.

G034586 THE PEOPLE
 v.
 ROSIE GRIEGO

Merits. Cause called. Carmela Simoncini argued for appellant. Daniel Rogers, Deputy Attorney General argued for respondent. Cause submitted.

G034435 THE PEOPLE
 v.
 KELLI M. BALINT

Merits. Cause called. Andrew E. Rubin argued for appellant. Daniel Rogers, Deputy Attorney General argued for respondent. Cause submitted.

G034784 THE PEOPLE
 v.
 KENNETH OGEA

Merits. Cause called. Christian C. Buckley argued for appellant. Andrew Mestman, Deputy Attorney General argued for respondent. Cause submitted.

G033863 THREE ARCH BAY DISTRICT
 v.
 CAROLA LUEDER

Merits. Cause called. Charles G. Kinney argued for appellant. J. Scott Russo argued for respondent. Cause submitted.

Court declared a recess.

**State of California, Court of Appeal
Fourth Appellate District, Division 3
September 22, 2005 (cont'd)**

Court reconvened at 1:30 p.m. in the courtroom located at 925 N. Spurgeon Street, Santa Ana, California 92701. Panel members are Bedsworth, Acting Presiding Justice, Aronson, J. and Fybel, J. Antoinette Cajigal, Deputy Clerk attending.

G034578 MICHELLE PHAM
 v.
 APEX ESCROW, INC.

Merits. Cause called. Jeffrey S. Benice argued for appellant. Derrick H. Nguyen argued for respondent. Cause submitted.

G034537 COUNTY OF ORANGE
 v.
 ANGEL BRIZUELA

Merits. Cause called. Mary Dahlberg argued for appellant. Diane Vargas argued for respondent. Cause submitted.

G034649 PATRICIA HANSEN
 v.
 CHRISTINE HANSEN

Merits. Cause called. Barry A. Bisson argued for appellant. Michael V. Wright argued for respondent. Cause submitted.

G031778 ELECTRONIC FUNDS SOLUTIONS
 v.
 MICHAEL MURPHY et al.

Merits. Cause called. L. Rachel Helyar argued for appellants. Einar W. Johnson argued for respondent. Cause submitted.

Court declared a recess.

**State of California, Court of Appeal
Fourth Appellate District, Division 3
September 22, 2005 (cont'd)**

G034143 PHILIP BUTTERFIELD et al. Not for publication
v.
CALIFORNIA COASTAL COMMISSION

Opinion filed. Judgment and post-judgment order reversed and remanded with directions.

Ikola, J.

I concur: Aronson, J.
I dissent: Sills, P.J.

**State of California, Court of Appeal
Fourth Appellate District, Division 3
September 23, 2005 (cont'd)**

Court reconvened at 9:30 a.m. in the courtroom located at 925 N. Spurgeon Street, Santa Ana, California 92701. Panel members are Aronson, Acting Presiding Justice, Fybel, J. and Ikola, J. Antoinette Cajigal, Deputy Clerk attending.

G034507 THE PEOPLE
 v.
 ALLEN W. CROCKER

Merits. Cause called. Rose Marie T. Hollander argued for appellant. Bradley Weinred, Deputy Attorney General argued for respondent. Cause submitted.

G034081 FORSTER RANCH ESTATES COMMUNITY ASSOCIATION
 v.
 CHRISTINE R. DOYLE

Merits. Cause called. Dennis V. Menke argued for appellant. John R. MacDowell argued for respondent. Cause submitted.

G034581 FORSTER RANCH ESTATES COMMUNITY ASSOCIATION
 v.
 CHRISTINE R. DOYLE

Merits. Cause called. Dennis V. Menke argued for appellant. John R. MacDowell argued for respondent. Cause submitted.

Court declared a recess.

**State of California, Court of Appeal
Fourth Appellate District, Division 3
September 23, 2005 (cont'd)**

Court reconvened at 1:30 p.m. in the courtroom located at 925 N. Spurgeon Street, Santa Ana, California 92701. Panel members are O'Leary, Acting Presiding Justice, Moore, J. and Ikola, J. Antoinette Cajigal, Deputy Clerk attending.

G033917 THE PEOPLE
 v.
 JOSHUA J. CANTU

Merits. Cause called. Gerald P. Peters argued for appellant. Megan Beale, Deputy Attorney General argued for respondent. Cause submitted.

G034750 THE PEOPLE
 v.
 SHELLY M. HANEY

Merits. Cause called. Gregory Marshall argued for appellant. David Delgado, Deputy Attorney General argued for respondent. Cause submitted.

G034373 THE PEOPLE
 v.
 MYNOR CORDON-SUCHTIZ

Merits. Cause called. George L. Schraer argued for appellant. Lynne McGinnis, Deputy Attorney General argued for respondent. Cause submitted.

G034302 THE PEOPLE
 v.
 ANA M. SEGURA et al.

Merits. Cause called. Brian N. Gurwitz, Deputy District Attorney argued for appellant. Ava R. Stalla argued for respondent Ana M. Segura. Allen G. Weinberg argued for respondent Jason M. Rials. Court to issue an order for parties to file supplemental briefs, matter to be submitted after briefs are filed.

Court declared a recess.

**State of California, Court of Appeal
Fourth Appellate District, Division 3
September 23, 2005 (cont'd)**

G034429 PREMIER CAPITAL LLC Not for publication
 v.
 CARROLL DICKENS

Opinion filed. Judgment affirmed.

Moore, J.

We concur: Rylaarsdam, Acting P.J.
 O'Leary, J.

G035035 WILLIAM SNOW HUME
 v.
 PATINA A. MADISON

Order filed. The above entitled cause is ordered submitted this date.
Sills, P.J.

G033067 THE PEOPLE
 v.
 SUPRITI SONI

Order filed. The above entitled cause is ordered submitted this date.
Sills, P.J.

G033829 THE PEOPLE
 v.
 EDWARD LEE JENNINGS et al.

Order filed. The above entitled cause is ordered submitted this date.
Sills, P.J.

G034109 THE PEOPLE
 v.
 GLORIA TERISIA JENNINGS

Order filed. The above entitled cause is ordered submitted this date.
Sills, P.J.

**State of California, Court of Appeal
Fourth Appellate District, Division 3
September 23, 2005 (cont'd)**

G033029 THE PEOPLE
 v.
 JOSE ALFREDO AMAYA

Order filed. The above entitled cause is ordered submitted this date.
Sills, P.J.

G034595 THE PEOPLE
 v.
 JORGE SALOMON ZARATE

Order filed. The above entitled cause is ordered submitted this date.
Sills, P.J.

G034561 THE PEOPLE
 v.
 ROBERT GARCIA

Order filed. The above entitled cause is ordered submitted this date.
Sills, P.J.

G034411 THE PEOPLE
 v.
 LISA JENNINGS GRIMES

Order filed. The above entitled cause is ordered submitted this date.
Sills, P.J.

G034475 THE PEOPLE
 v.
 BOBBY DEAN BALL

Order filed. The above entitled cause is ordered submitted this date.
Sills, P.J.

